

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ALTERIK ROGERS,**

**Petitioner,**

**v.**

**Case No. 2:16-cv-0638**

**Judge Algenon L. Marbley**

**Chief Magistrate Judge Elizabeth P. Deavers**

**WARDEN, BeCI,**

**Respondent.**

**OPINION AND ORDER**

On April 30, 2018, the Magistrate Judge issued a *Report and Recommendation* recommending that the *Petition* for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. (ECF No. 13.) Although the parties were advised of the right to file objections to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, and although the Court granted Petitioner an extension of time for the filing of his objections, no objections have been filed.

The *Report and Recommendation* (ECF No. 13) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

**s/ Algenon L. Marbley**

**ALGENON L. MARBLEY**

**UNITED STATES DISTRICT COURT**

**DATED: July 30, 2018**